

**Zoning Public Hearing  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-10  
AGENDA DATE: Thu 06/23/2005  
PAGE: 1 of 1**

**SUBJECT:** C14-05-0061 - Escarpment Village - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9600 Escarpment Boulevard (Slaughter Creek - Barton Springs Zone) from community commercial - conditional overlay (GR-CO) combining district zoning to commercial - liquor sales (CS-1) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on June 21, 2005. Applicant: Escarpment Village, L.P. (John E. Baker). Agent: Drenner Stuart Wolff Metcalfe von Kreisler, L.L.P. (Michele Hausmann). City Staff: Wendy Walsh, 974-7719.

**REQUESTING DEPARTMENT:** Neighborhood Planning and Zoning

**DIRECTOR'S AUTHORIZATION:** Alice Glasco

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-05-0061

**Z.P.C. DATE:** May 17, 2005  
June 21, 2005

**ADDRESS:** 9600 Escarpment Boulevard

**OWNER:** Escarpment Village, L.P.  
(John E. Baker)

**AGENT:** Drenner Stuart Wolff  
Metcalf von Kreisler, L.L.P.  
(Michele Haussmann)

**ZONING FROM:** GR-CO **TO:** CS-1

**AREA:** 0.069 acres (3,016 square feet)

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant commercial – liquor sales (CS-1) district zoning.

### **ZONING & PLATTING COMMISSION RECOMMENDATION:**

May 17, 2005: *RECOMMENDED CS-1 DISTRICT ZONING, BY CONSENT.*  
[J. MARTINEZ; J. GOHIL – 2<sup>ND</sup>] (9-0)

June 21, 2005:

### **ISSUES:**

Since the May 17, 2005 Zoning and Platting Commission meeting, the Applicant has shifted the location of CS-1 footprint slightly, which requires reconsideration by the Commission. Correspondence from the Applicant is attached following Exhibit C.

Letters of support for CS-1 zoning from the New Villages of Western Oaks Homeowner's Association and the Circle C Homeowners Association are provided at the back of the Staff report.

### **DEPARTMENT COMMENTS:**

The subject rezoning area is a 3,659 square foot lease space within the Escarpment Village shopping center that is presently under construction. This portion of the shopping center accesses West Slaughter Lane and Escarpment Boulevard, and is zoned community commercial – conditional overlay (GR-CO) combining district by a 2003 zoning case. It includes financial services, retail sales and restaurant uses. Please refer to Exhibits A (Zoning Map), A-1 (Aerial View), A-2 (Vicinity Map), B (Recorded Plat) and C (Approved Site Plan).

The applicant proposes to rezone the lease space to the commercial – liquor sales (CS-1) district and occupy the lease space with a liquor store. Staff recommends CS-1 zoning based

on the following considerations: 1) the proposed use is compatible with the surrounding uses within the retail center and its corresponding GR-CO zoning; 2) it is located at a distance from the nearest residential neighborhoods; and, 3) access will be taken to two arterial roadways.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	GR-CO	Lease space within a shopping center presently under construction
<i>North</i>	GR-CO; LR-CO	Shopping center presently under construction
<i>South</i>	RR; I-RR	Undeveloped; Park land
<i>East</i>	GR-CO; LR-MU-CO; LR-CO	Shopping center presently under construction
<i>West</i>	GR-CO; I-RR	Shopping center presently under construction; Drainage / Water quality pond

**AREA STUDY:** N/A

**TIA:** Is not required

**WATERSHED:** Slaughter Creek – Barton Springs Zone

**DESIRED DEVELOPMENT ZONE:** No

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** Yes, both Slaughter Lane and Escarpment Boulevard are designated as Scenic Roadways.

**NEIGHBORHOOD ORGANIZATIONS:**

384 – Save Barton Creek Association  
 427 – Circle C Homeowners Association  
 428 – Barton Springs / Edwards Aquifer Conservation District  
 651 – The New Villages at Western Oaks Owners Association, Inc.  
 943 – Save Our Springs Alliance  
 967 – Circle C Neighborhood Association

385 – Barton Springs Coalition

**SCHOOLS:**

Mills Elementary School

Clint Small Middle School

Bowie High School

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-02-0040.107	I-RR to GR	To Grant GR-CO, subject to conditions	Approved GR-CO with CO for maximum

			height, and list of prohibited uses (8-1-02).
C14-02-0040.106	I-RR to GR	To Grant GR-CO, subject to conditions	Approved GR-CO, with CO for building and structure setbacks, LR development regulations, list of prohibited uses, including those for single occupants greater than 36,750 s.f. (7-18-02).
C14-02-0040.105	I-RR to RR	To Grant RR subject to CO prohibiting development	Approved RR (8-1-02).
C14-02-0040.104	I-RR to RR	To Grant RR subject to CO prohibiting development	Approved RR (8-1-02).
C14-97-0158 (Village at Western Oaks MUD)	I-RR; I-SF-2 to RR; SF-1; SF-2; SF-3; SF-4; SF-5; SF-6; MF-1; MF-2; MF-3; MF-4; NO; LO; GO; LR; GR; CS; & P	To Grant staff recommendation with conditions	Approved RR-CO; SF-2-CO; SF-4A-CO; SF-6-CO; MF-1-CO-CO; LO-CO; LR-CO; GR-CO. The CO is for xeriscaping on un-built land; IPM Plan; maximum number of dwelling units on various tracts; maximum building height; setbacks – front, street side, interior side, rear; maximum F.A.R.; and prohibits hard liquor sales in certain locations (4-16-98).

**RELATED CASES:**

The Escarpment Village shopping center was rezoned to GR-CO (Tract One) and LR-CO (Tract Two) and included a Restrictive Covenant for the conditions of the Traffic Impact Analysis on June 10, 2004 (C14-03-0156). The Conditional Overlay associated with GR tract establishes setbacks for buildings and structures; setbacks for surface parking facilities; prohibited uses; and prohibited uses for a single occupant of any leaseable space over than 36,750 square feet.

The rezoning area is a portion of Lot 7, Block B of the Escarpment Village plat that was recorded on October 6, 2004 and is provided as Exhibit B (C8-04-0058.1A). A consolidated site plan for Escarpment Village was also approved on December 30, 2004, and is provided as Exhibit C (SP-04-0192C).

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
West Slaughter Lane	Varies	2 @ 24 feet	Arterial	Yes	No	In Bicycle Plan as a Priority 1 route
Escarpment Boulevard	120 feet	Under construction	Arterial	Yes, under construction	No	No

**CITY COUNCIL DATE:** June 23, 2005

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

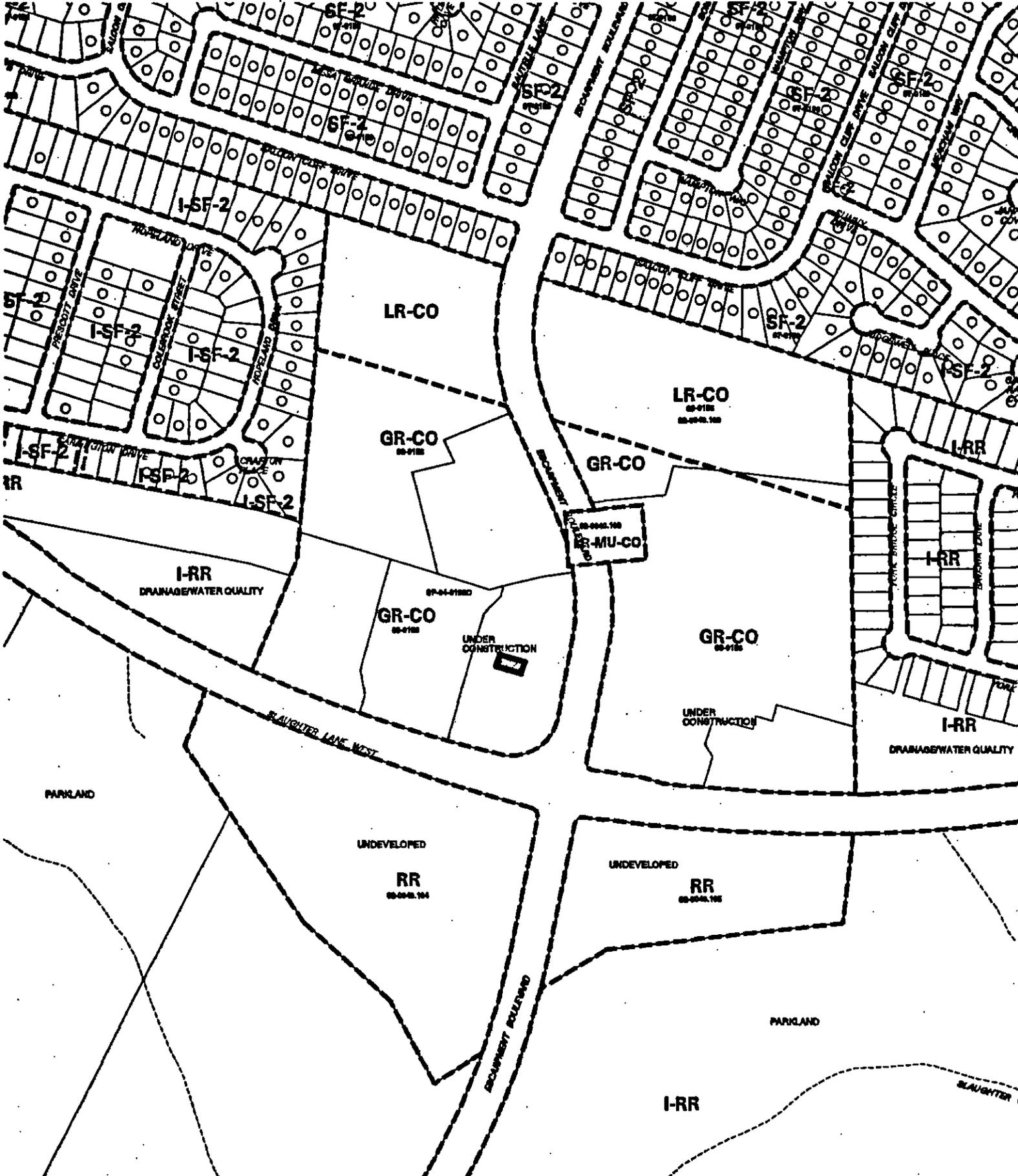
2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Walsh  
e-mail: wendy.walsh@ci.austin.tx.us

**PHONE:** 974-7719



 1" = 400'	<b>SUBJECT TRACT</b> 	<b>ZONING</b> <i>Exhibit A</i>  <b>DATE:</b> 05-08 <b>INTLS:</b> SM	<b>CITY GRID REFERENCE NUMBER</b>  B16	
	<b>PENDING CASE</b> 			<b>CASE #:</b> C14-05-0061
	<b>ZONING BOUNDARY</b> 			<b>ADDRESS:</b> 9000 ESCARPMENT BLVD
	<b>CASE MGR:</b> W. WALSH			<b>SUBJECT AREA (acres):</b> 0.069

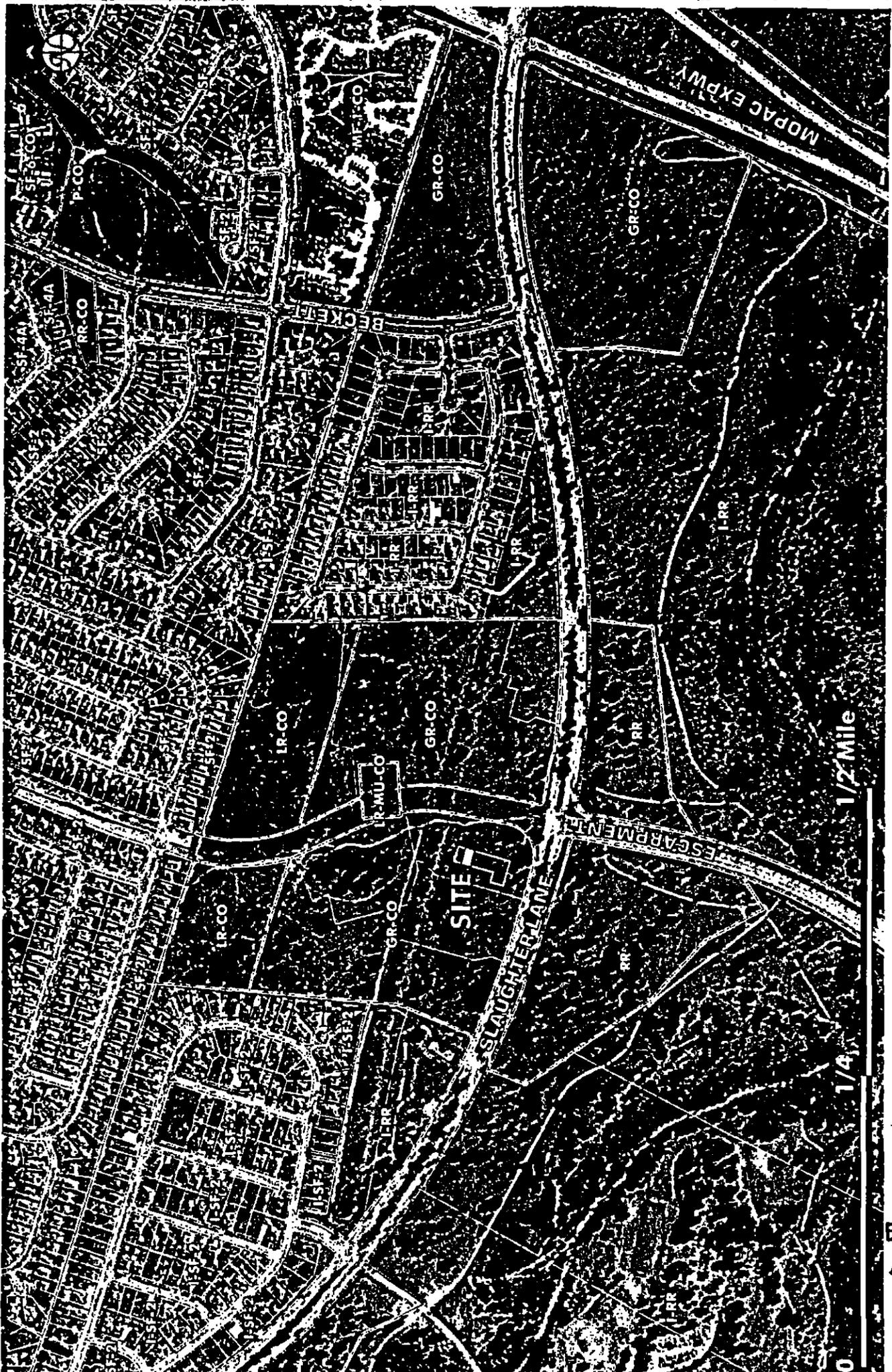
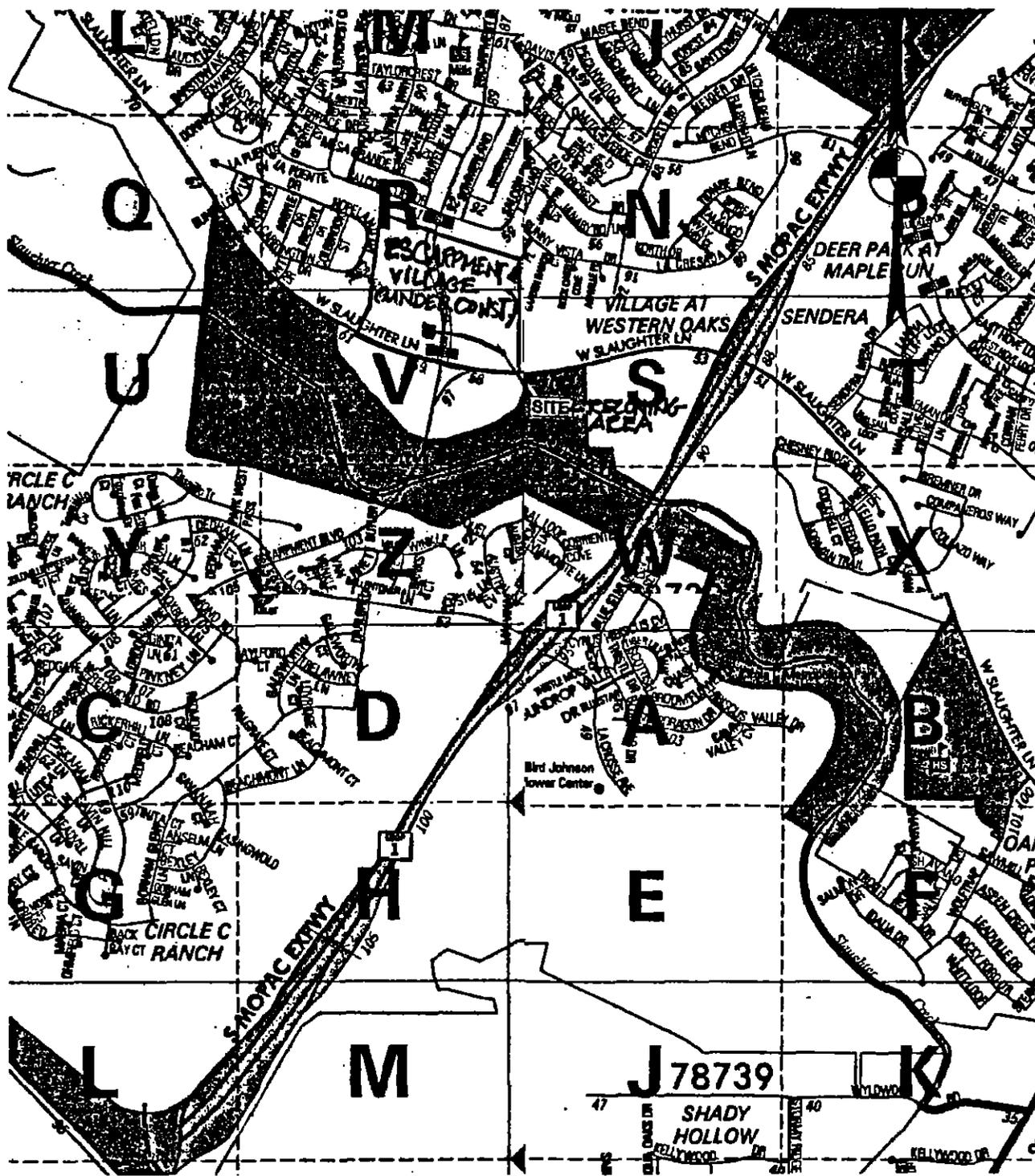


EXHIBIT  
A-1



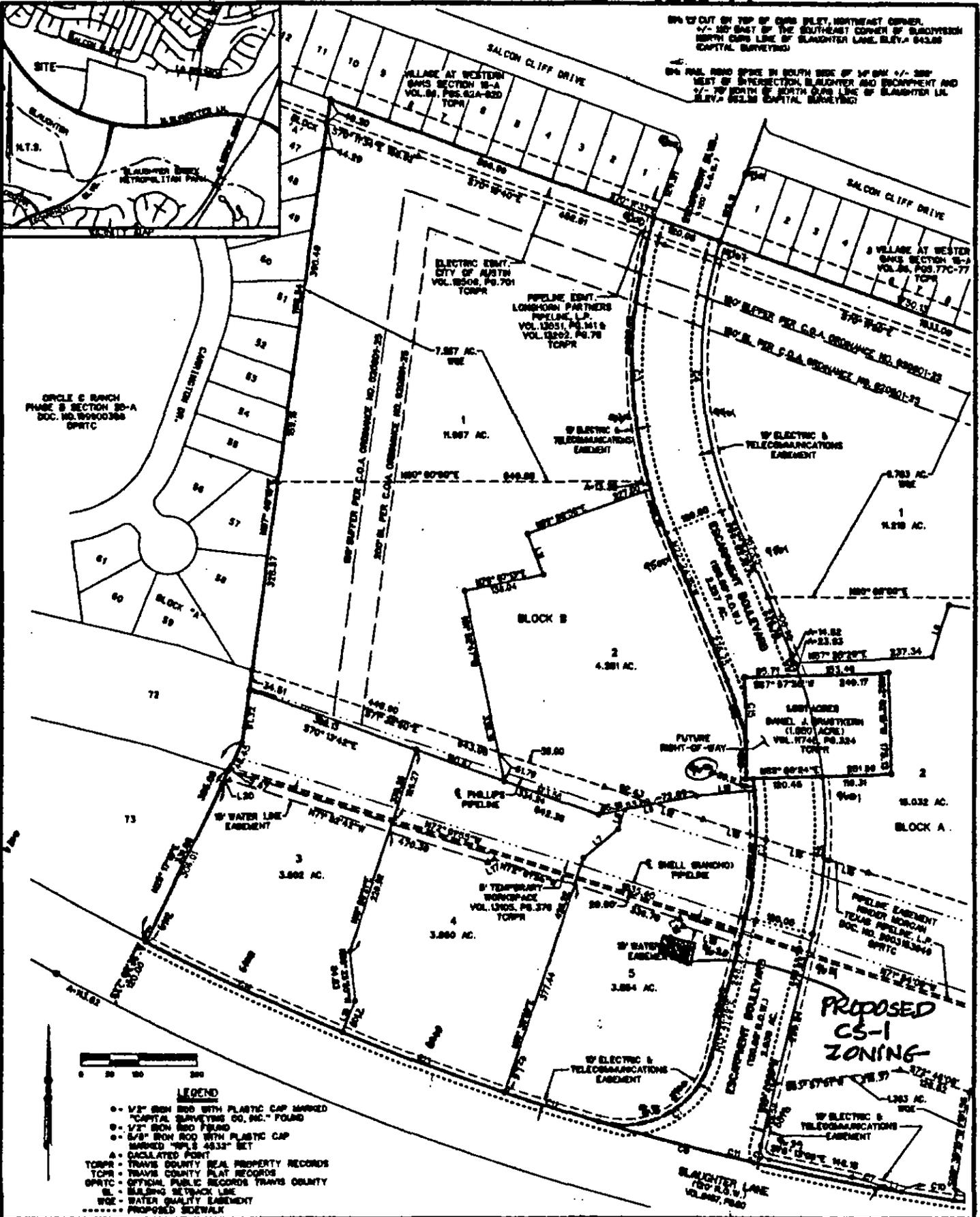


**Exhibit A-2**  
**SITE LOCATION MAP**

**b Bury+Partners**  
 Consulting Engineers and Surveyors  
 Austin, Texas Tel 512/792-0911 Fax 512/792-0925  
 Bury+Partners, Inc. ©Copyright 2002

PERFORMED BY

1/4" CUT ON TOP OF CURB ONLY, NORTHEAST CORNER.  
 1/4" EAST OF THE SOUTHWEST CORNER OF SURVEYED  
 NORTH CURB LINE OF SLAUGHTER LAKE, ELEV. 843.88  
 CAPITAL SURVEYING  
 1/4" RAIL ROAD SPIKE IN SOUTH SIDE OF 1/4" SW 1/4 200  
 WEST OF INTERSECTION, SLAUGHTER AND ESCARPMENT AND  
 1/4" SOUTH SIDE OF 1/4" SW 1/4 100 OF SLAUGHTER LAKE  
 ELEV. 845.00 CAPITAL SURVEYING



- LEGEND**
- 1/2" IRON ROD WITH PLASTIC CAP MARKED "CAPITAL SURVEYING CO. INC." FOUND
  - 1/2" IRON ROD FOUND
  - 5/8" IRON ROD WITH PLASTIC CAP MARKED "99.3 4833" SET
  - A CALCULATED POINT
  - TOPR TRAVIS COUNTY REAL PROPERTY RECORDS
  - TCPR TRAVIS COUNTY PLAT RECORDS
  - OPRTC OFFICIAL PUBLIC RECORDS TRAVIS COUNTY
  - BL BUILDING SETBACK LINE
  - EL WATER QUALITY EMBANKMENT
  - PROPOSED SIDEWALK

**ESCARPMENT VILLAGE**

**RAMSEY LAND SURVEYING, L.L.C.**  
 8718 SOUTHWEST PARKWAY  
 P.O. BOX 92768  
 AUSTIN, TEXAS 78708-2768  
 PHONE (512) 301-9398  
 FAX (512) 301-9399  
 rlsurvey@aish.net

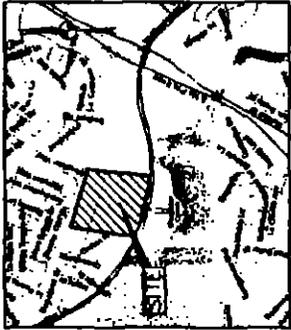
**EXHIBIT B  
 RECORDED  
 PLAT**

NO	REVISION	BY	CHK	DATE

# SITE DEVELOPMENT PERMIT PLANS

FOR

# ESCARPMENT VILLAGE



**PROPERTY MAP**

OWNER	ESCARPMENT VILLAGE, L.P.
ADDRESS	3345 BEE CAVES ROAD, SUITE 200 AUSTIN, TEXAS 78746
ARCHITECT	SHARPLEAN ARCHITECTS
ADDRESS	1000 W. BRUNNEN STREET, SUITE 200 AUSTIN, TEXAS 78703
ENGINEER	BURY+PARTNERS, INC.
ADDRESS	3345 BEE CAVES ROAD, SUITE 200 AUSTIN, TEXAS 78746
ARCHITECT	LAND DESIGN PARTNERS
ADDRESS	3345 BEE CAVES ROAD, SUITE 100 AUSTIN, TEXAS 78746
DEVELOPER	TRANSMILL GROUP COMPANY
ADDRESS	400 W. 13TH STREET, SUITE 1100 AUSTIN, TEXAS 78704

**PROPOSED DEVELOPMENT**

PHASE 1 - 1000 W. BRUNNEN STREET, SUITE 200  
PHASE 2 - 1000 W. BRUNNEN STREET, SUITE 200  
PHASE 3 - 1000 W. BRUNNEN STREET, SUITE 200

**PERMIT NO.:** 98-04-0102  
**SUBMISSION NO.:** CS-04-0058  
**ADDRESS:** PHASE 1 - 1000 W. BRUNNEN STREET, SUITE 200  
PHASE 2 - 1000 W. BRUNNEN STREET, SUITE 200  
PHASE 3 - 1000 W. BRUNNEN STREET, SUITE 200  
AUSTIN, TEXAS 78704

**DATE:** MAY 16, 2004  
**SUBMITTED BY:** JAMES B. BURRY, P.E.  
BURY+PARTNERS, INC.  
3345 BEE CAVES ROAD, SUITE 200  
AUSTIN, TEXAS 78746  
(817) 338-0081

**FILE #:** 04-10000000000000000000

**PLANNING INFORMATION**

THE CITY OF AUSTIN HAS REVIEWED THE SUBMITTED PLANS AND HAS DETERMINED THAT THE PLANS COMPLY WITH THE CITY OF AUSTIN ZONING ORDINANCE AND THE CITY OF AUSTIN SUBDIVISION ACT.

**APPROVED FOR SUBMITTAL**

*[Signature]*  
CITY OF AUSTIN

**CONTRACT NO.:** 98-04-0102  
**PROJECT NAME:** ESCARPMENT VILLAGE  
**OWNER:** ESCARPMENT VILLAGE, L.P.  
**ADDRESS:** 3345 BEE CAVES ROAD, SUITE 200  
AUSTIN, TEXAS 78746  
**ARCHITECT:** SHARPLEAN ARCHITECTS  
**ADDRESS:** 1000 W. BRUNNEN STREET, SUITE 200  
AUSTIN, TEXAS 78703  
**ENGINEER:** BURY+PARTNERS, INC.  
**ADDRESS:** 3345 BEE CAVES ROAD, SUITE 200  
AUSTIN, TEXAS 78746  
**ARCHITECT:** LAND DESIGN PARTNERS  
**ADDRESS:** 3345 BEE CAVES ROAD, SUITE 100  
AUSTIN, TEXAS 78746  
**DEVELOPER:** TRANSMILL GROUP COMPANY  
**ADDRESS:** 400 W. 13TH STREET, SUITE 1100  
AUSTIN, TEXAS 78704

NO.	DESCRIPTION	DATE	STATUS
1	PRELIMINARY PLANS	5-16-04	APPROVED
2	FINAL PLANS	5-16-04	APPROVED

**APPROVED FOR SUBMITTAL**

*[Signature]*  
CITY OF AUSTIN

**EXHIBIT C**  
**APPROVED**  
**SITE PLAN**





MICHELE C. HAUSSMANN  
PRINCIPAL PLANNER

(512) 404-2233  
mch@lawdsww.com

Ms. Wendy Walsh  
Neighborhood Planning and Zoning Department  
City of Austin, 5<sup>th</sup> floor  
505 Barton Springs Road  
Austin, TX 78701

**VIA HAND DELIVERY**

Re: Escarpment Village – C14-05-0061. Approximately 0.84 Acres Located at the Intersection of Slaughter Lane and Escarpment Blvd. ("Property"); Proposed Rezoning from GR-CO zoning district to CS-1 zoning district.

Dear Wendy:

As you know, the above referenced zoning case was presented to the Zoning and Platting Commission on May 17, 2005 and was approved on the consent agenda. Since that time, a minor shift has taken place on the CS-1 zoning footprint location. The adjacent tenant has expanded approximately 500 feet therefore shifting the proposed CS-1 zoning footprint over 5 ½ feet. A revised set of field notes has been submitted to you reflecting the change.

As a result, it is required that we return to the Zoning and Platting Commission before proceeding to City Council. It is my understanding that dual notification will be mailed that includes a new zoning map reflecting the new CS-1 zoning footprint location for the Zoning and Platting Commission June 21, 2005 agenda date and June 23, 2005 City Council agenda date. The item will again be presented on the consent agendas.

Please let me know if you should have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Michele Haussmann', with a long horizontal flourish extending to the right.

Michele Haussmann

**SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant commercial – liquor sales (CS-1) district zoning.

**BACKGROUND**

The subject rezoning area is a 3,659 square foot lease space within the Escarpment Village shopping center that is presently under construction. This portion of the shopping center accesses West Slaughter Lane and Escarpment Boulevard, and is zoned community commercial – conditional overlay (GR-CO) combining district by a 2003 zoning case. It includes financial services, retail sales and restaurant uses.

The applicant proposes to rezone the lease space to the commercial – liquor sales (CS-1) district and occupy the lease space with a liquor store. Staff recommends CS-1 zoning based on the following considerations: 1) the proposed use is compatible with the surrounding uses within the retail center and its corresponding GR-CO zoning; 2) it is located at a distance from the nearest residential neighborhoods; and, 3) access will be taken to two arterial roadways.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

*1. The proposed zoning should be consistent with the purpose statement of the district sought.*

The commercial – liquor sales (CS-1) zoning district is intended for commercial and industrial activities of a service nature which typically have operating characteristics or traffic service requirements generally incompatible with residential environments, and specifically includes liquor sales as a permitted use.

*2. Zoning changes should promote an orderly and compatible relationship among land uses.*

Staff recommends CS-1 zoning based on the following considerations: 1) the proposed use is compatible with the surrounding uses within the retail center and its corresponding GR-CO zoning; 2) it is located at a distance from the nearest residential neighborhoods; and, 3) access will be taken to two arterial roadways.

**EXISTING CONDITIONS****Site Characteristics**

The rezoning area represents a 3,659 square foot lease space within the Escarpment Village shopping center that is presently under construction. This portion of the shopping center will include financial services, retail sales and restaurant uses.

**Impervious Cover**

The maximum impervious cover allocated to Tract 103 is 18.75 acres (32% of 60.469 acres), as established by the Development Agreement between the City of Austin and Circle C Land Corp, effective as of August 15, 2002. No changes to the allocated impervious cover are contemplated with the rezoning application.

**Environmental**

This site is located over the Edward's Aquifer Recharge Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) watershed. Project applications at the time of this report are subject to the Development Agreement between The City Of Austin and Circle C Land Corporation.

According to flood plain maps, there is no flood plain within the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2, 25-8 and Circle C Agreement for all development and/or redevelopment.

Under current Circle C Agreement, development or redevelopment on this site will be subject to providing structural sedimentation, filtration and/or re-irrigation basins per Section 7 of the Agreement.

**Transportation**

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 1,241 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

The traffic impact analysis for this site was waived because this site is subject to the conditions of the approved TIA (Escarpment Village) for this site.

**Water and Wastewater**

The landowner intends to serve the site with City water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility relocation, and utility adjustment. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the associated City fees.

**Compatibility Standards**

**A zoning change to CS-1 does not trigger the application of compatibility standards.**

APR-21-2005 11:17 PM DWAIN ROGERS

P. 01

April 19, 2005

Ms. Alice Glasco  
Neighborhood Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

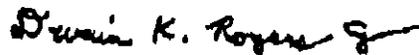
RE: Support for Escarpment Village  
Zoning Request for Proposed Twin Liquors - CS-1 Zoning

Dear Ms. Glasco:

The Board of Directors of the New Villages of Western Oaks Homeowner's Association supports the proposed rezoning of a 0.84 acre footprint of land out of Tract 103 known as Escarpment Village. The proposed rezoning is from GR-CO to CS-1.

In 2004, our neighborhood association worked extensively with Stratus Properties and IBER to ensure a superior project is constructed on Tract 103. We agree this use fits in with the neighborhood services needed in the area.

Sincerely,



Dwain Rogers  
President,  
New Villages of Western Oaks Homeowners Association  
Board of Directors

Apr 14 05 05:48p

Denise Nordstrom

5122886488

P. 2

Circle C Homeowners Association  
5919 La Crosse Avenue, Suite 100  
Austin, Texas 78739  
(512) 288-8663

6 April 2005

Ms. Alice Glasco  
Neighborhood Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

RE: Support for Escarpment Village  
Zoning Request for Proposed Twin Liquors - CS-1 Zoning

Dear Alice:

The Board of Directors of the Circle C Homeowners Association supports the proposed rezoning of a 0.84 acre footprint of land out of Tract 103 known as Escarpment Village. The proposed rezoning is from GR-CO to CS-1. We understand that this zoning request allows for a single liquor store.

We respectfully request that the Circle C Homeowners Association be kept advised of any additional planning or zoning changes related to Tract 103/Escarpment Village.

Sincerely,



Quentin Fennessy  
President  
Circle C Homeowners Association



CIRCLE C HOMEOWNERS ASSOCIATION

**PUBLIC HEARING INFORMATION**

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-05-0061  
Contact: Wendy Walsh, (512) 974-7719  
Public Hearing:  
May 17, 2005 Zoning and Platting Commission

MATTHEW PARENTE  
Your Name (please print)

I am in favor  
 I object

6105 CEAFTON PLACE  
Your address(es) affected by this application

Matthew Parente Signature  
5/11/05 Date

Comments: There are at least 3 other liquor stores within 3 miles of here. I see little reason to change the zoning to allow another liquor store into a highly residential area.

If you use this form to comment, it may be returned to:

City of Austin  
Neighborhood Planning and Zoning Department  
Wendy Walsh  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: C14-05-0061

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

May 17, 2005 Zoning and Platting Commission

DESMOND NG

Your Name (please print)

9235 RIDGEFIELD PL AUSTIN TX 78749

Your address(es) affected by this application

 Signature

5/14/05  
Date

<input type="checkbox"/> In favor
<input checked="" type="checkbox"/> Object

Comments:

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If you use this form to comment, it may be returned to:

City of Austin  
Neighborhood Planning and Zoning Department  
Wendy Walsh  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: C14-05-0061

Contact: Wendy Walsh, (512) 974-7719

Public Hearings:

June 21, 2005 Zoning and Platting Commission;

June 23, 2005 City Council

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

Timothy Cheng

Your Name (please print)

6103 Mesa Grande Dr. Austin, TX 78749

Your address(es) affected by this application

Tim Cheng

Signature

6/10/05

Date

Comments:

proposed  
Obviously the change will be against  
residential use of the area.  
Very Very BAD idea!!!

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

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Public Hearings:

June 21, 2005 Zoning and Platting Commission;

June 23, 2005 City Council

Rollin Burney  
Your Name (please print)

5963 Salconcliff St.

Your address(es) affected by this application



Signature

Comments: We Object.

Liquor Stores never help anyone but their own selves

Nancy Burney

5963 Salcon Cliff St.

6-10-05

6/10/05  
Date



If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

**PUBLIC HEARING INFORMATION**

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-05-0061

Contact: Wendy Walsh, (512) 974-7719

Public Hearings:

June 21, 2005 Zoning and Platting Commission;

June 23, 2005 City Council

Jessica Fehrenbaeh

Your Name (please print)

5555 Salton Cliff Dr. Austin 78749

Your address(es) affected by this application

Jessica Fehrenbaeh

Signature

6/10/05

Date

I am in favor  
 I object

Comments:

We do not need another liquor store in this area. There are 2 liq. stores in the shopping centers by 290 + 71. Once Escarpment goes through to Slaughter it will be a hop, skip + a jump to your local liquor stores for the people south of Slaughter. How about a high class woman's consignment shop (clothes) for this middle class woman? If you use this form to comment, it may be returned to: City of Austin Neighborhood Planning and Zoning Department Wendy Walsh P. O. Box 1088 Austin, TX 78767-8810

**May 24, 2005**

**In reference to Case Number: C14-05-0061  
(CS-1 Commercial-Liquor Sales district)**

**Although, the new liquor store, May not violates any licensee requirements, but the approximate distance of rezoning of section CS-1, that is for commercial-Liquor Sales is still too close to Bowie High School.**

**There have been several bad automobile accidents on Slaughter Lane between the high school and the new rezoning area that caused some people to lose their life in the past.**

**There is history of teens get behind the wheel and race each other on that road. As a result, the new upcoming Liquor store could contribute some what to more traffic fatality in the area. Therefore, as resident of near by community I am concern and truly believe the Liquor Store could harm our neighborhood. I ask you all, to Please not to allow any liquor store in that area.**

**Thank you,**

**Tony Marciano  
Salcon Cliff Drive  
Austin, TX 78749  
512-936-7356**

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE  
2 PROPERTY LOCATED AT 9600 ESCARPMENT BOULEVARD FROM  
3 COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO)  
4 COMBINING DISTRICT TO COMMERCIAL-LIQUOR SALES (CS-1) DISTRICT.

5  
6 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

7  
8 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to  
9 change the base district from community commercial-conditional overlay (GR-CO)  
10 combining district to commercial-liquor sales (CS-1) district on the property described in  
11 Zoning Case No. C14-05-0061, on file at the Neighborhood Planning and Zoning  
12 Department, as follows:

13  
14 A 0.069 acre tract of land (3016 square feet), more or less, out of Lot 5, Block B,  
15 Escarpment Village Subdivision, the tract of land being more particularly  
16 described by metes and bounds in Exhibit "A" incorporated into this ordinance,

17  
18 locally known as 9600 Escarpment Boulevard, in the City of Austin, Travis County, Texas,  
19 and generally identified in the map attached as Exhibit "B".

20  
21 PART 2. This ordinance takes effect on \_\_\_\_\_, 2005.

22  
23  
24 PASSED AND APPROVED

25  
26 \_\_\_\_\_, 2005 §  
27 §  
28 §

29 Will Wynn  
30 Mayor

31  
32  
33 APPROVED: \_\_\_\_\_  
34 David Allan Smith  
35 City Attorney

ATTEST: \_\_\_\_\_  
Shirley A. Brown  
City Clerk

MAY 31, 2005                      JOB NO. 536-13  
CLIENT: ESCARPMENT VILLAGE, L.P.  
TWIN LIQUORS ZONING

FIELD NOTE NO. 536-15R1  
PROJECT: ESCARPMENT VILLAGE  
COA GRID NO. B-16

**EXHIBIT A**  
FIELD NOTES

A DESCRIPTION OF 0.069 ACRE (3016 SQUARE FEET) OF LAND BEING A PORTION OF LOT 5, BLOCK B, ESCARPMENT VILLAGE, A SUBDIVISION WHOSE PLAT IS RECORDED IN DOCUMENT NO. 200400299 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.069 ACRE AS SHOWN ON THE ACCOMPANYING SKETCH BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

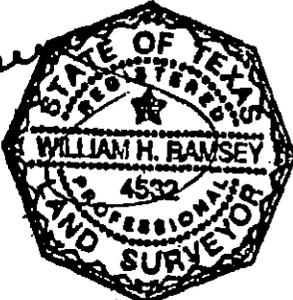
COMMENCING, for reference, at a 5/8 inch iron rod with plastic cap marked "RPLS 4532" set for a point of curvature on the west right-of-way (R.O.W.) line of Escarpment Boulevard, 120 feet in width dedicated by said plat, being the east line of said Lot 5 from which a 5/8 inch iron rod with plastic cap marked "RPLS 4532" set for a point of curvature on said west R.O.W. line bears N13°41'29"E, 248.77 feet;

THENCE crossing said Lot 5 N36°34'39"W, 192.17 feet to the POINT OF BEGINNING and southeast corner of the herein described 0.069 acre;

THENCE continuing to cross said Lot 5 along the south, west, north and east lines hereof the following four (4) courses:

1. N71°51'46"W, 80.46 feet to a point,
2. N18°08'14"E, 37.48 feet to a point,
3. S71°51'46"E, 80.46 feet to a point, and
4. S18°08'14"W, 37.48 feet to the POINT OF BEGINNING containing 0.069 acre (3016 square feet) of land.

*William H. Ramsey*  
*5-31-05*



**LEGEND**

- - 1/2" IRON ROD FOUND
- - 5/8" IRON ROD WITH PLASTIC CAP MARKED "RPLS 4532" SET
- △ - CALCULATED POINT
- TCRPR - TRAVIS COUNTY REAL PROPERTY RECORDS
- TCPR - TRAVIS COUNTY PLAT RECORDS
- OPRTC - OFFICIAL PUBLIC RECORDS TRAVIS COUNTY.

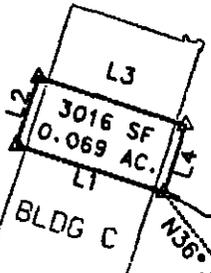


LOT 2  
BLOCK B

ESCARPMENT VILLAGE  
DOC. NO. 200400299  
OPRTC

PIPELINE EASEMENT  
KINDER MORGAN  
TEXAS PIPELINE, L.P.  
DOC. NO. 2003153649  
OPRTC

LOT 4



LOT 5

10' ELECTRIC & TELECOMMUNICATIONS EASEMENT

ESCARPMENT BOULEVARD  
(120.00' R.O.W.)  
2.030 AC.

POINT OF COMMENCING

SLAUGHTER LANE  
(120' R.O.W.)  
VOL. 9457, PG. 80

*William H. Ramsey*  
5-31-0



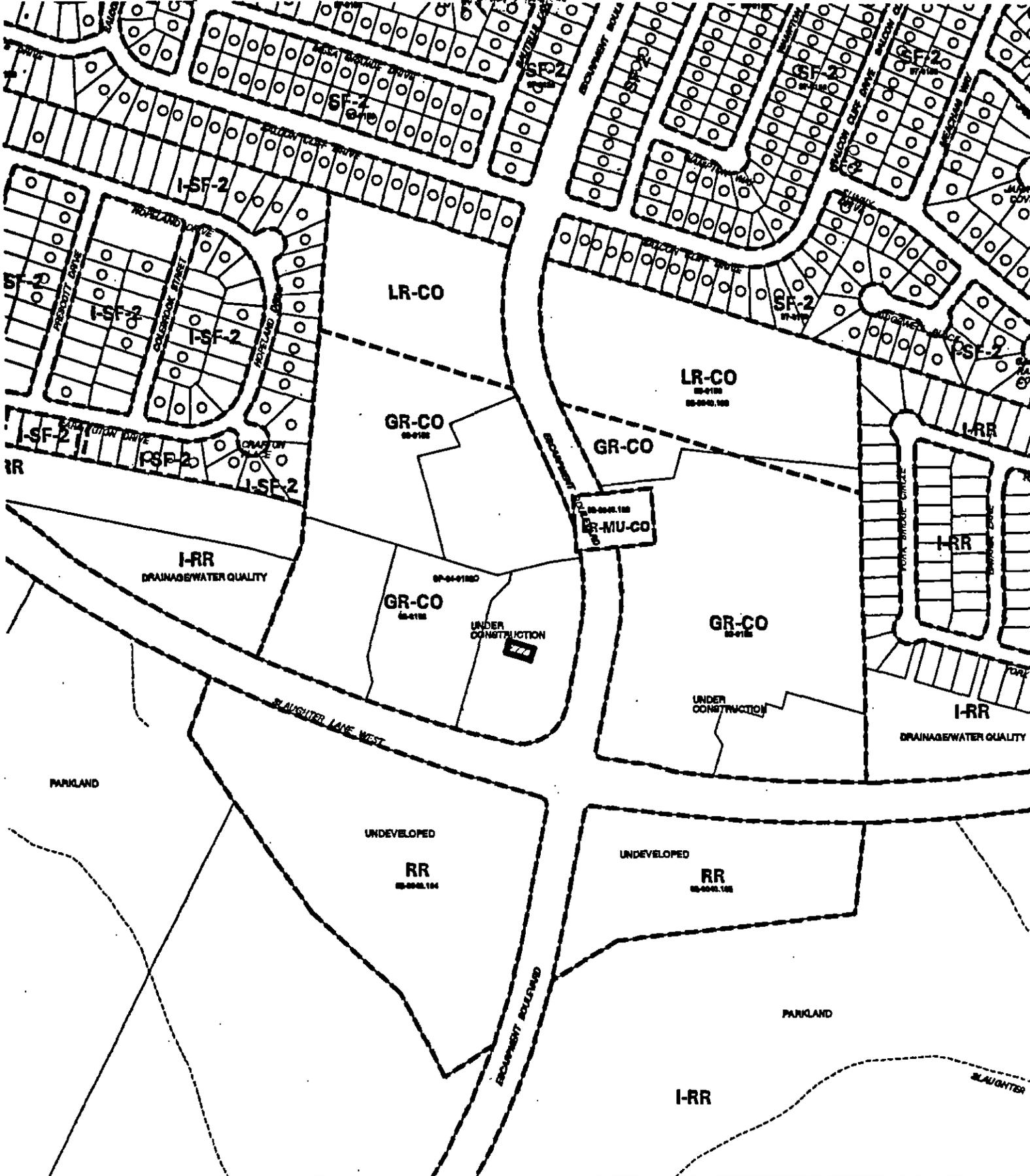
LINE	DIRECTION	DISTANCE
L1	N71°51'46"W	80.46
L2	N18°08'14"E	37.48
L3	S71°51'46"E	80.46
L4	S18°08'14"W	37.48

CURVE	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
C1	1152.84	14°25'19"	4580.00	N80°44'12"W	1149.80
C2	251.00	92°46'59"	155.00	N60°04'58"E	224.46

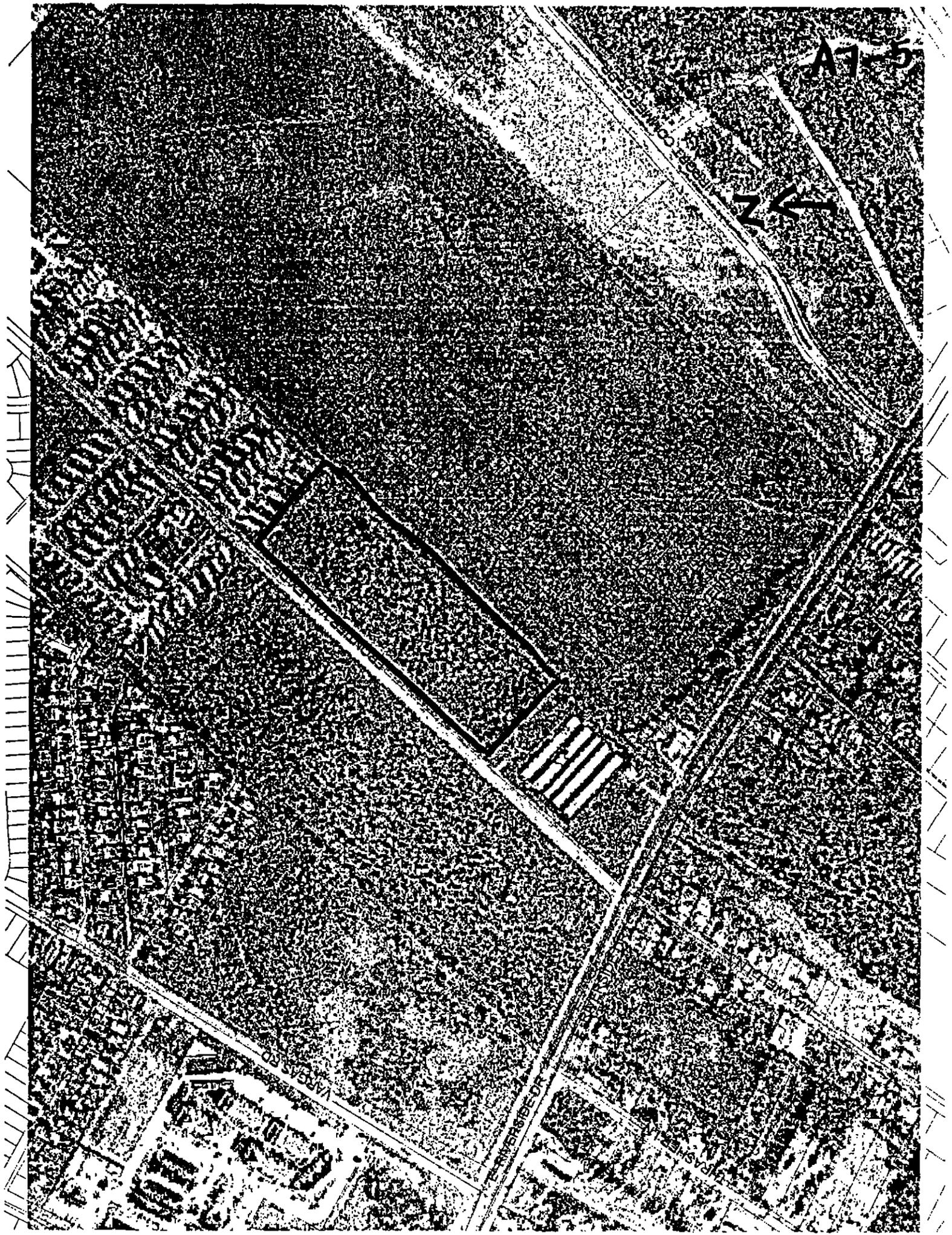
**RAMSEY LAND SURVEYING, L.L.C.**

8718 SOUTHWEST PARKWAY  
P.O. BOX 92768  
AUSTIN, TEXAS 78709-2768  
PHONE (512) 301-9399  
FA: (512) 301-9395  
rlsurvey@flash.net

SKETCH TO ACCOMPANY  
FIELD NOTE NO. 536-15R1



 1" = 400'	<b>SUBJECT TRACT</b> 	<b>ZONING EXHIBIT B</b>	<b>CITY GRID REFERENCE NUMBER</b> B16		
	<b>PENDING CASE</b> 			<b>CASE #:</b> C14-05-0061	<b>DATE:</b> 05-06
	<b>ZONING BOUNDARY</b> 			<b>ADDRESS:</b> 9600 ESCARPMENT BLVD	<b>INTLS:</b> SM
	<b>CASE MGR:</b> W. WALSH			<b>SUBJECT AREA (acres):</b> 0.089	



A7-5

24

VARGAS RD

ROAD

ROAD